M.T.A. BYLAWS
MONTEBELLO TEACHERS ASSOCIATION, MONTEBELLO, CALIFORNIA

ARTICLE I
NAME AND PURPOSE

Section A.
This organization shall be known as the Montebello Teachers Association of the Montebello Unified School District, Los Angeles County, California.

Section B.
The purpose of the Association shall be:
1. The primary purpose of this Association shall be: To represent its members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
2. To form a representative body capable of developing group opinion on professional matters to speak with authority for members;
3. To provide an opportunity for continuous study and action on problems of the profession;
4. To raise the standards for education support professionals;
5. To provide a means of representation for its ethnic-minority members;
6. To encourage cooperation and communication between the profession and the community;
7. To foster good fellowship among members;
8. To promote professional attitudes and to enforce ethical conduct among its members;
9. To represent all members of the Bargaining Unit in contract maintenance and administration in a fair and equitable manner.

ARTICLE II
AFFILIATIONS

The Montebello Teachers Association shall be affiliated with the California Teachers Association and the National Education Association.

ARTICLE III
MEMBERSHIP

Section A.
Categories of Membership. The primary category shall be Active members.

Section B.
Active membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of the Montebello Unified School District, and whose primary assignment is such as not to hold evaluative responsibility over other employees to such an extent as not to be represented in the negotiations proves by the bargaining unit.
Section C.
Any eligible person may become an active member upon payment of annual dues as prescribed in the Standing Rules.

Section D.
Special memberships may be allowed as a result of collective bargaining agreements or Association Programs as ratified by the membership. Specific provisions are to be established in the Association Standing Rules.

Section E.
The right to vote and hold elective or appointive office shall be limited to active members. Discrimination against active members in their right to vote, seek office, or otherwise participate in the affairs of the Montebello Teachers Association, C.T.A. or the National Education Association is prohibited.

Section F.
Active members shall be eligible to vote in all elections, hold elective office or appointive position, receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.

Section G.
Rights and privileges of membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin, or sexual orientation.

Section H.
Members shall adhere to the Code of Ethics of the Education Profession.

Section I.
No member of the Association may be disciplined without a due process hearing, which shall include the established appellate procedure.

Section J.
The membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive.

Section K.
Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.
ARTICLE IV
OFFICERS AND EXECUTIVE COMMITTEE

Section A. Officers

1. The elected officers of the Association shall be a President, Vice-President, Secretary, Treasurer, one (1) Director of Support Staff, (1) Director of Adult Education (1) High School Director, one (1) Intermediate School Director, and two (2) Elementary School Directors.

a. These officers shall be and remain currently paid-up local, state and national (Active) members as a condition for nomination to and service in their respective positions during their terms in office.

b. The officers shall be elected by and from the Active membership of the Association. Such election shall be by open nomination and secret ballot.

2. Term of office

a. The President shall be elected for a two (2) year term of office every odd numbered year. A person may be reelected to the office for a maximum of two consecutive terms after which at least one year must elapse before becoming eligible for reelection. A person succeeding to the presidency for more than half a term may be elected to one (1) additional term after which a year must lapse before becoming eligible for reelection.

b. The Vice-President shall be elected for a one (1) year term of office. A person may be reelected to the office for a maximum of four consecutive one year terms after which at least one year must elapse before becoming eligible for reelection.

c. The Secretary shall be elected for a two (2) year term of office every even numbered year. A person may be reelected to the office for a maximum of two full consecutive terms after which at least one year must elapse before becoming eligible for reelection.

d. The Treasurer shall be elected for a two (2) year term of office every odd numbered year. A person may be reelected to the office for a maximum of two full consecutive terms after which at least one year must elapse before becoming eligible for reelection.

e. The two (2) Elementary Directors shall be elected for two (2) year terms: one elected in odd numbered years and the other elected in even numbered years. A person may be reelected to the office for a maximum of two full consecutive terms after which at least one year must elapse before being eligible for reelection.

f. The Intermediate School Director shall be elected for a two (2) year term every odd numbered year. A person may be reelected to the office for a maximum of two full consecutive terms after which at least one year must elapse before being eligible for reelection.

g. The High School Director shall be elected for a two (2) year term every even numbered year. A person may be reelected to the office for a maximum of two full consecutive terms after which at least one year must elapse before being eligible for reelection.

h. The Director of Support Staff shall be elected for a two (2) year term every odd numbered year. A person may be reelected to the office for a maximum of two full consecutive terms after which at least one year must elapse before being eligible for reelection.

i. The Director of Adult Education shall be elected for a two (2) year term every even numbered year. A person may be reelected to the office for a maximum of two full consecutive terms after which at least one year must elapse before being eligible for reelection.
j. The regular term of office shall July 1 of the year elected.
k. A vacancy shall be deemed to exist in the vace of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs the other offices, a special election of the Association shall be called to elect successors to fill the unexpired terms.

3. Qualifications
Members nominated for the office of President, Vice-President, Secretary, Treasurer, Elementary Director, Intermediate Director, High School Director, Director of Support Staff, and Director of Adult Education shall at the time of nomination be a member of the Montebello Teachers Association in good standing.

4. Duties of Officers
a. The President shall:
   1. Be the chief executive officer of the Association and its policy leader;
   2. Call meetings of the Association, Executive Committee, and the Council;
   3. Preside at all meetings of the Association, the Executive Committee, and the Council;
   4. Prepare the agenda for the meetings of the General Membership, the Council and Executive Committee;
   5. Be the official spokesperson for the Association;
   6. Be responsible for all general Association meetings;
   8. Appoint all committee chairpersons with the advice and consent of the Executive Committee;
   9. Appoint the chairperson and members of the Bargaining Team with the approval of the Executive Committee by the beginning of each school year;
   10. Propose the procedures for grievance processing for ratification by the Executive Committee and the Council;
   11. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
   12. Attend meetings of the Service Center Council of which the Association is a part;
   13. Attend other C.T.A./N.E.A. meetings as directed by the Council;
   14. Be empowered to call special meetings;
   15. Be an ex-officio member of all committees except the Nominating Committee;
   16. Attend all meetings of the Committee of Education, and in the event that he/she cannot attend a meeting, the President shall designate a member of the Executive Committee to attend and act as the official spokesperson for the Association;
   17. Represent the Association at conferences, conventions and community functions where an official representative is required. If such attendance is inconvenient, the President may appoint the Vice-President to represent the Association. If the Vice-President is unable to attend, the President may, with the consent of the Executive Committee, appoint the official representative of the Association.
b. The Vice-President shall:
   1. Serve as assistant to the President in all duties of the President;
   2. Assume the duties of the President in his/her absence or inability to continue in office;
   3. Be responsible for the formation and distribution of the Association’s calendar of activities;
   4. Serve as coordinator of committee activities at the discretion of the President;
   5. Carry out responsibilities delegated to him/her by the President.

c. The Secretary shall
   1. Keep a record of all proceedings of the Association, the Council and the Executive Committee;
   2. Be responsible for recording member participation in Association activities and shall keep a record of attendance at Council meetings.
   3. Be responsible for the distribution of minutes, notice of meetings, and agenda for all meetings to the member of the Council and Executive Committee, and to the membership when appropriate;
   4. Keep an accurate roster of membership of the Association and of all committees;
   5. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

d. The Treasurer shall
   1. Receive all funds belonging to the Association and be responsible for their safe keeping and accounting;
   2. Pay out such funds upon the orders of the President;
   3. Provide a written financial report for each regular meeting of the Council and Executive Committee.
   4. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the membership;
   6. Exercise general supervision over the funds of the Association and shall perform such other duties as may appropriately pertain to the office;
   7. Submit Association's books and all necessary papers to an auditor when requested to do so by the Executive Committee or the Council;
   8. Supervise and sign the annual audit report submitted to the Public Employee Relations Committee State of California.

e. The Elementary Directors shall coordinate all elementary school concerns, meet with elementary school building representatives and school site faculty clubs, communicate elementary school concerns to the Executive Committee and the Council, and carry out any other tasks that will be helpful to elementary teachers.

f. The Intermediate Director shall coordinate all Intermediate school concerns, meet with intermediate school building representatives and school site faculty clubs, communicate intermediate school concerns to the Executive Committee and the Council, and carry out any other tasks that will be helpful to intermediate school teachers.

g. The High School Director shall coordinate all high school concerns, meet with high school building representatives and school site faculty clubs, communicate high school concerns to the Executive Committee and the Council, and carry out any other tasks that will be helpful to the high school teachers.
h. The Director of Support Staff shall coordinate all Support Staff concerns, meet with representatives from these groups, communicate their concerns to the Executive Committee and the Council, and carry out any other tasks that will be helpful to these various groups.

i. The Director of Adult Education shall coordinate all Adult Education concerns, meet with representatives from different sites, communicate their concerns to the Executive Committee and the Council, and carry out any other tasks that will be helpful to Adult Education Staff.

5. Order of Succession
In the event that the office of President becomes vacated, the order of succession shall be as follows: Vice-President, Secretary, Treasurer, "Senior" Elementary Director, High School Director, Intermediate Director, and "Junior" Elementary Director, Director of Support Staff and Director of Adult Education.

Section B. The Executive Committee
1. Members:
   a. The elected officers shall constitute the Executive Committee. The immediate past president shall be an ex-officio nonvoting member of the Executive Committee for one year following his/her term of office should he/she so choose.
   b. All members of the Executive Committee shall be and remain currently paid-up local, state and national (Active) members as a condition for nomination to and service in their respective positions during their terms in office.
   c. The Executive Director shall serve as an advisor to the Executive Committee.

2. Meetings:
   a. The Executive Committee shall meet prior to each regular meeting of the Council and at such other times as the President may deem necessary or upon written petition of a majority of the members of the Executive Committee.
   b. An attendance of fifty-one percent (51%) of the Executive Committee members shall constitute a quorum.
   c. A member of the Executive Committee absent from three (3) consecutive Executive Committee meetings may be removed by the President with the approval of the Council.

3. Duties:
   a. Coordinate the activities of the Association;
   b. Act for the Council when school is not in session;
   c. Direct the bargaining activities of the Association, subject to policies established by the Council;
   d. Approve by majority vote appointment and by two-thirds (2/3) vote removal bargaining team members;
   e. Recommend a budget for the Association to Council;
   f. Approve by majority vote all appointment and removal of committee members, including chairpersons;
   g. Adopt the Standing Rules of the Association;
   h. Adopt grievance procedures;
   i. Direct the grievance activities of the Association;
   j. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restriction imposed by the Council;
   k. Prior to the first Council meeting of the school year the Executive Committee shall confirm the appointment (made by the President) of a member to serve as parliamentarian for the school year;
1. The Executive Committee shall be responsible for executing policy set or adopted by the Council or general membership;

m. The Executive Committee shall serve in an advisory capacity to the President and Council, study all problems and concerns referred by the Council and recommend appropriate action.

n. The Executive Committee shall review and study any proposals for action, which are made by individuals or groups who are not members of the Association;

o. A summary of actions taken at each Executive Committee meeting shall be reported to the Council;

p. The Executive Committee shall be responsible for the fiscal and business affairs of the Association and shall designate authorized person(s) to sign the necessary documents. The Executive Committee shall receive a monthly report by the Treasurer on the budget.

Section C. Related Organizations

1. Sections, which are governed by special sets of bylaws, may be affiliated with and responsible to the Association.

2. Any section wishing to affiliate with the Association shall submit its bylaws to the President. Within two weeks, he/she shall appoint a committee to determine if the bylaws of a section are compatible with the bylaws of the Association.

ARTICLE V
THE COUNCIL

Section A.
The Council shall serve as the legislative and policy-making body on behalf of the membership in carrying out the purpose of this Association.

Section B. The composition of this Body shall be

1. The Executive committee, ex-officio voting;

2. Faculty Representatives elected on the basis of one-person, one-vote;

3. Representatives to the C.T.A. State Council of Education.

Section C. Election of Council Representatives

1. Representatives shall be elected by and from the Active membership for each faculty group. Such election shall be by open nominations and by secret ballot.

2. Representatives shall be elected for two-year terms by the individual staffs. Each faculty, site or site unit shall be entitled to at least one representative and shall have representative for each ten Active members of the faculty, or major faction thereof.

3. Active members who are not represented through an individual school faculty group shall be counted as a special faculty group entitled to the same representation on the Council as individual school faculty groups.

4. Vacancies in the office of Representatives for whatever cause may be filled by properly elected replacements.

5. Each school or unit shall have an Election Committee, which will verify the results of the election at its school.

6. Each representative shall be a member of the Association at the time of the election and for the duration of his/her term.
7. If any school staff, or other unit entitled to representation, fails to elect a representative(s) within thirty days after being notified to do so, the President may appoint, with the approval of the Council, representatives for that school or unit.
8. A Representative shall not conduct an election in which he/she is a candidate.

Section D. Duties of Council Representatives
1. Establish Association policies and objectives.
2. Adopt the annual budget of the Association on or before the first meeting of the school year.
3. Approve the establishment or discontinuance of committees recommended by the Executive Committee.
4. Establish the Association’s portion of the basic annual dues, and representation fee for non-members, shall be established by action of the Representative Council of the Association at the last regular meeting of the school year.
5. Representatives shall represent their respective faculties or units at the meetings of the Council.
   a. Conduct constant and ongoing liaison between the Council and the Active members of the faculty/site unit;
   b. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the members;
   c. Represent the views and input of the Active membership of the faculty in votes taken in the Council, conducting frequent and regular polls of such membership for this purpose;
   d. Perform such additional duties as prescribed by the Executive Committee.
6. Representatives shall make regular reports to their constituents.
7. Representatives in schools having more than one representative shall designate a chairperson from their delegation to be responsible for receipt and effective distribution of Association business information.
8. A representative shall be counted present when represented at the Council by an elected substitute.
9. A representative's membership on the Council shall be terminated after absence from three consecutive council meetings, and the vacancy shall be filled.

Section E. Meetings
1. The Council shall meet at least once each traditional school month.
2. The Executive Committee shall declare the dates of the Council meetings for the following school year by the last Council meeting of the school year.
3. Special meetings of the Council may be called by the President, the Executive Committee, or by the petition of twenty percent (20%) of the Active membership.
4. Special meetings of the Council may be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
5. Notices and agendas for all meetings of the Council shall be sent to all members of the Council at least two (2) days prior to the date of the meeting.
6. For emergency meetings of the Council during crisis situation, the Executive Committee shall adopt procedures to notify representatives of meeting dates, places, and times.

Section F. Quorum
An attendance of fifty-one percent (51%) of the Council members shall constitute a quorum.

Section G. Executive Director
The Executive Director shall serve as advisor to the Council.
Article VI
BARGAINING TEAM

1. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit members.
2. The President shall appoint all members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Committee.
3. Vacancies created by resignation or inability to serve shall be filled by the Executive Committee from the list of alternates.
4. The Executive Committee, by two-thirds (2/3) vote, may remove a member of the Bargaining Team.
5. The Bargaining Team shall be under the direction of the Executive Committee, and shall report its activities to the Executive Committee, as the Committee requires.
6. The Bargaining Team is empowered to reach tentative agreements with the district subject to ratification by the Active membership.
7. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Committee subject to policies established by the active membership.
8. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by the Council in that unit.
9. The Executive Committee shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general membership.
10. Agreements reached between the Bargaining Team and the school Committee or its representatives shall be considered tentative and not binding upon the Association until such agreements have been ratified by the Active membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that Active membership.

Article VIII.
GRIEVANCE PROCESSING

1. The Executive Committee shall adopt, with the approval of the Council, the procedures for grievance processing.
2. These procedures shall include, but not be limited to, the following:
   a. Provide for representation to assist all members of the bargaining unit(s) in processing grievances;
   b. Training for handling grievances;
   c. Evaluation of the Association’s grievance policies and procedures.
ARTICLE IX
STANDING COMMITTEES

Section A.
The standing committees of the Association shall be established by the MTA Executive Committee. The standing committees of the Association shall remain in existence for the year in which they have been established unless the Executive Committee determines that they shall be in existence for a longer period. A published list of the standing committees of the Association shall be announced to the Council each September.

Section B. Meetings
Each standing committee shall meet according to a calendar developed by the committee chairperson. A written copy of discussion items and or recommendations shall be sent to the Executive Committee via the president for action.

Section C. Duties
All Committees shall study problems within their area of concern and shall make recommendations in writing to the Executive Committee and/or the Council.

Section D. Qualifications
All members of standing committees shall belong to the Association. Standing committee chairpersons, where possible, shall have served on the committee the previous year.

Section E. Term of Office
Committee chairpersons and members shall be appointed for one year by the president, with the approval of the Executive committee.

Section G. The Retiree Health Trust Fund Committee
1. The president shall be responsible, with the approval of the Council for the appointment of members of the Retiree Health Trust Fund Committee.
2. Appointments will be for five years.

Section H. Special Committees
1. Special Committees deal with ongoing concerns and activities of the Association.
2. Special Committees may be established by the President, with the approval of the Executive Committee.
3. Qualifications for membership on Special Committees shall be the same as for Standing Committees.
4. Term of office for Special Committees shall be determined by the President with the approval of the Executive Committee.
ARTICLE X
N.E.A. DELEGATES AND C.T.A. STATE COUNCIL

Section A. N.E.A. Representative Assembly Delegates
1. N.E.A. Delegates shall be elected by the membership at large in an annual election established by the Association according to N.E.A. Bylaws and consistent with Article VII of these Bylaws with the exception of the dates which will be governed by the C.T.A. and N.E.A. guidelines.
2. The number of N.E.A. Delegates and their term of office shall be established in the following order of priority:
   a. Three-year term: One position
   b. Two-year term: One position
   c. One-year term: As many positions as the Association is eligible for and within the limits of budget considerations as established by the Executive Committee and the Council.
3. N.E.A. Delegates must be members in good standing of the Montebello Teachers Association, California Teachers Association and of the National Education Association at the time of election and during their term of office.
4. All duly elected N.E.A. Delegates are eligible to attend the N.E.A. Representative Assembly and will be equally funded, unless funded by C.T.A. or N.E.A.
5. All N.E.A. Delegates must attend all regularly scheduled business sessions of the N.E.A. Representative Assembly and the State Caucuses, unless excused.
6. In the event that an elected N.E.A. Delegate cannot attend the Representative Assembly, the next highest vote getter who was not elected shall assume that position.

B. C.T.A. State Council Representatives
1. C.T.A. State Council Representatives shall be elected according to the allocation allotted by C.T.A.
2. C.T.A. State Council representatives shall be members of the MTA Council
3. C.T.A. State Council Representatives shall take directions from the council on issues that are adopted by the Council.
4. C.T.A. State Council Representatives shall make reports to the MTA Council on C.T.A. activities.
5. C.T.A. State Council Representatives are to be regular in their attendance at C.T.A. State Council meetings and perform all obligations required of them by their position.
6. In even numbered years, alternates for C.T.A. State Council Representatives shall be elected to serve two (2) year terms. The number of alternates shall be equal to the number of C.T.A. State Council Representatives. Appointment to replace a C.T.A. State Council Representative shall correspond to the ranked finish of the alternate election.

ARTICLE XI
NOMINATIONS AND ELECTIONS

A. There shall be an appointed Elections Committee.
B. Elections shall be conducted with:
   1. Open nomination procedure;
   2. Secret ballot;
   3. All Active member vote;
4. Record of voters receiving or casting ballots;
5. Majority vote, unless otherwise specified.
C. The President must provide Active members an opportunity to vote in all elections.
D. The President does not have the option of deciding whether an election shall be held.
E. State Council Representative elections shall be conducted in accordance with C.T.A. guidelines after the chapter or Service Center Council has been notified to do so by the C.T.A. Elections Committee.
F. N.E.A. State Delegate elections shall be conducted in accordance with C.T.A. guidelines.
G. N.E.A. Local Delegate elections shall be conducted in accordance with C.T.A./N.E.A. guidelines.
H. The duties of the Elections Committee shall be to:
   1. Ensure that all Association/C.T.A./N.E.A. election codes and timelines are followed;
   2. Establish election timelines;
   3. Develop and carry out timelines and procedures;
   4. Prepare ballots for election of officers and such other elections as may be necessary;
   5. Count the ballots and certify the results; and
   6. Handle initial challenges.

ARTICLE XII
DUES

Section A. Annual Dues
1. The basic annual dues level for Active members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operation expenses of the Association, the dues of C.T.A., and the dues of N.E.A.
2. Dues monies for the affiliate organizations shall be transmitted upon and in accordance to an annual agreement established between the National Education Association and the C.T.A. with the Montebello Teachers Association.
3. The Association shall apportion any negotiated representation fee on the same percentage as the full MTA/C.T.A./N.E.A. dues.
4. Membership shall be continuous after initial enrollment until delinquent or until a change in professional status shall make the member in eligible for membership. If by October 31 of any calendar year, a member has neither paid the established annual memberships dues for the current membership year, nor made satisfactory arrangements for payment, then that person’s membership shall be considered delinquent and the name dropped the rolls.
5. The annual dues shall be announced at the Council meeting in May and adopted with the budget at the June Council meeting.
6. The total dues shall include:
   a. Annual dues of the Montebello Teachers Association
   b. Annual dues of the California Teachers Association
   c. Annual dues of the National Education Association
   d. Any other assessments as deemed necessary by the Council
7. Dues must be paid to the Association or by payroll deduction.
ARTICLE XIII
ASSOCIATION MEETINGS

Section A. General Meetings

1. Meetings of the Association may be called by the President, the Executive Committee, or by written petition of twenty percent (20%) of the Active membership.
2. Notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all members of the Association at least two days before the meeting except during crisis situations.
3. For emergency meetings during crisis situations, the Executive Committee shall adopt procedures to notify the Association membership of meeting dates, places and times.
4. A quorum for meetings of the Association shall be ten (10) percent of the Active membership.
5. Admission to all Association meetings shall be open to members and their guests, provided a closed meeting had not been previously announced. However, upon a majority vote of those members in attendance, an open meeting may be closed at any time.

ARTICLE XIV
AMENDMENTS

These Bylaws may be amended by a two-thirds (2/3) vote of the Representatives at any regular or special meeting of the Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary (Secretary-Treasurer) and provided to members of the Council at the meeting preceding the one at which it is to be voted upon.

ARTICLE XV
PARLIAMENTARY PROCEDURES

On all matters of procedure not otherwise covered by the provisions of these Bylaws or by the Standing Rules of the Association, Roberts Rules of Order, latest revised edition, shall be the official guide.

ARTICLE XIII
EFFECTIVE DATE

July 1, 2013